

### REMARKS

Claims 1, 3, 5 to 9, 15, 20 and 21 were rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 3, 5 to 9, 15, 20 and 21 were rejected under 35 U.S.C. § 103 as unpatentable over Boston in view of Palmatier and Littleton.

Claims 1, 3, 5 to 9, 15, 20 and 21 have been canceled without prejudice, as have now all claims 1 to 21, including previously withdrawn claims. New device claims 22 to 39 have been added to attempt to clarify the issues raised by the Examiner. Support is found clearly in the specification and in the originally filed claims.

Withdrawal of the rejection is respectfully requested based on the following comments.

#### Rejection under 35 U.S.C. § 112

Claims 1, 3, 5 to 9, 15, 20 and 21 were rejected under 35 U.S.C. § 112, second paragraph.

New claims 22 to 39 are respectfully submitted to have proper antecedent basis.

Withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is respectfully requested.

#### Rejection under 35 U.S.C. § 103

Claims 1, 3, 5 to 9, 15, 20 and 21 were rejected under 35 U.S.C. § 103 as unpatentable over Boston in view of Palmatier and Littleton.

Boston discloses a two-stage continuous web cutting system and method where a web 100 is cut partially by a first pair of cylinders 160, 162, and then is fully cut by a second pair of cylinders 164, 166. Web 100 is nipped at the first pair of cylinders 160, 162 not by the cylinders, but by a pair of additional axially located nipping rings 135 (See Fig. 2, and col. 4, line 32 of Boston).

Palmatier discloses a conventional knife cylinder/anvil cylinder with gaps around the anvil.

Littleton discloses a web severing apparatus in which the knife is located in a gap in the cylinder.

New claim 22 recites a cutting and nipping device for cutting and nipping a web, comprising:

a first cutting cylinder having a first segmented cutting blade with axially spaced first blade edges and a first cutting cylinder nipping surface extending circumferentially about the first cutting cylinder from the first blade edges; and

a first anvil cylinder having a first anvil cylinder nipping surface extending circumferentially about the first anvil cylinder;

the first cutting cylinder nipping surface and the first anvil cylinder nipping surface providing a first nip for the web about the first segmented cutting blade.

Boston does not show nipping surfaces because both pairs cylinders 160, 162 and 164, 166 of Boston are obviously spaced from each other.

Littleton and Palmatier show nipping surfaces but do not show a nipping surface extending circumferentially from the blade edges, as now recited in claim 22, because both Littleton and Palmatier clearly show gaps between and nipping surface and the blade edges. In the present invention and as now claimed in claim 22, the nipping surface extends from the blade edges.


Withdrawal of the rejection under 35 U.S.C. § 103 is respectfully requested.

CONCLUSION

It is respectfully requested that the application is now in condition for allowance and applicant respectfully requests such action.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By:

  
William Gehris  
Reg. No. 38,156

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14th Floor  
New York, New York 10018  
(212) 736-1940